

REMARKS

I. INTRODUCTION:

The Applicant thanks the Examiner for the careful consideration of this application. Claim 1 is currently amended solely to correct a minor informality and to expedite prosecution. In view of the following remarks, the Applicant respectfully requests reconsideration of this Non-Final Rejection.

II. CLAIM REJECTIONS UNDER 35 U.S.C. §103(A):

(I) On page 2, the Office Action rejects claims 1-7, 9-11, 13 and 19-21 under 35 U.S.C. §103(a) as being unpatentable over U.S. Pre-Grant Publication No. 2003/0233242 to Wenger in view of U.S. Patent No. 6,606,480 to L'Allier. The Applicant respectfully traverses the rejection.

The present invention, as recited in claim 1, presents a system accessible to a user seeking a certification over a computer network. The system, in part, includes a user information entry module that presents a first user interface to the user seeking certification to create a user account over a network. Using the first user interface, the user may him- or herself select a desired certification authority and may enter user information relating to the certification by the desired certification authority.

The Office Action essentially admits that Wenger fails to disclose the claimed requirement for “a user entry module that presents a first user interface to the at least one user seeking certification.” *See Office Action, Pages 3 and 4.* Wegner discloses a user submitting information regarding certification, however there is no teaching or suggestion of how the information is

submitted. The user may submit such information via mail, email, fax, etc. There is no disclosure in Wegner regarding a user account created over a network for entry of user information or a user interface for submitting the evidence. It should be emphasized that the claimed user entry module, which the Action admits is not disclosed in Wegner, allows the user seeking certification to enter information associated with the user account via the first user interface thereby giving the user control over his or her own certification plan. The system allows such user to create a user account through a first user interface. Once the user account is created, the user can select a desired certification authority and personally enter user information regarding certification by the desired certification authority.

The Office Action cites Col. 4, Lines 42-45, Col. 6, Lines 40-50 and Claim 10 of L'Allier to disclose "a user input device that allows a user to input personal information." In the cited section, L'Allier discloses that "[t]he user input device 28 may comprise, for example, a keyboard; it could alternatively or in addition comprise a pointing device, such as a mouse, or touch screen." *Col. 4, Lines 42-45*. It is respectfully submitted that just by teaching a user interface device 28, e.g. keyboard or pointing device, L'Allier does not necessarily teach that the user interface device is used for creating a user account over a network for selecting a desired certification authority, as claimed. Indeed, L'Allier discloses that:

A block diagram for the user undergoing the recommended training regimen (FIG. 2B) includes the user's electing to begin the training regimen (block 601). The pretest is then commenced, with a preassessment question retrieved from the questions database (block 602) and presented to the user (block 603). The user enters an answer into an input device (block 604), and the answer is evaluated relative to a predetermined standard (block 605). If the preassessment is complete

(block 606), the preassessment is graded (block 607); if not, another preassessment question is retrieved as above (block 602).

See Col. 6, Lines 40-50. In other words, L'Allier discloses a user engaged in a training regimen uses the "input device 28" to answer presented preassessment questions. In contrast, the user information entry module recited in claim 1 creates a user account for a user who selects a desired certification authority and enters user information relating to the certification by the desired certification. Electing to begin a training regimen using the input device 28 as disclosed in L'Allier has no relationship to selecting a certification authority using a user interface module as required by the claimed invention.

Even assuming that L'Allier's input device 28 could be used for entry of personal information, there is still no teaching in L'Allier for using the "input device 28" with a user account for selecting a certification authority. Therefore, neither Wenger nor L'Allier disclose "a user information entry module that presents a first user interface to the at least one user seeking certification to create a user account over a network for selecting a desired certification authority and for entering user information relating to the certification by the desired certification authority," as recited in Claim 1.

The Office Action asserts, on page 5, that:

using an entry module to a user interface to enter information for the purpose of creating an electronic and/or online account is old and well known. For example, websites such as, eBay, Amazon, and various banking websites, student resource websites for various institutions of higher learning will often have an interface for setting up an online account so that users will have convenient 24 hour access to their accounts and other services that the websites may offer.

Although entry modules may have been generally known in the art, none of the “websites such as, eBay, Amazon, and various banking websites, student resource websites for various institutions of higher learning” cited by the Action would have included a user information entry module “for selecting a desired certification authority and for entering user information relating to the certification by the desired certification authority,” as claimed. In determining obviousness, the invention must be considered as a whole without the benefit of hindsight, and the claims must be considered in their entirety. See *W.L. Gore & Assocs. v. Garlock, Inc.*, 721 F.2d 1540, 1551, 220 USPQ 303, 312-13 (Fed.Cir. 1983); see also *Medtronic, Inc. v. Cardiac Pacemakers, Inc.*, 721 F.2d 1563, 1567, 220 USPQ 97, 101 (Fed.Cir. 1983). The Office Action’s broad assertion that the creation of “electronic and/or online accounts is old and well known” does not address the entirety of the claimed requirement of presenting “a first user interface to the at least one user seeking certification to create a user account over a network for selecting a desired certification authority and for entering user information relating to the certification by the desired certification authority,” as recited in Claim 1. Rather, the Office Action merely focuses on the term “entry module” and ignores its remaining requirements relating to creating an account for selecting a certification authority and entry of certification-related user information.

Even assuming that it was known to provide user interfaces for creating accounts, the Office Action does not provide any supporting evidence to establish that such known user interface modules on online auctions, shopping websites, banking websites, student resource websites etc. were used “for selecting a desired certification authority and for entering user information relating to the certification by the desired certification authority,” as claimed. The Applicant respectfully

asserts that the Office Action's failure to provide any evidence showing the required elements of the user information entry module leads to a supposition that impermissible hindsight reconstruction was the actual basis of this rejection. "To imbue one of ordinary skill in the art with knowledge of the invention in suit, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher." *W.L. Gore & Assocs., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1553, 220 USPQ 303, 312-13 (Fed.Cir.1983). It is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the prior art so that the claimed invention is rendered obvious. *In re Gorman*, 933 F.2d 982, 987, 18 USPQ2d 1885, 1888 (Fed.Cir. 1991). "One cannot use hindsight reconstruction to pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." *In re Fine*, 837 F.2d 1071, 1075; 5 USPQ2d 1596, 1600 (Fed. Cir. 1988).

In conclusion, Wagner in view of L'Allier does not disclose "a user information entry module that presents a first user interface to the at least one user seeking certification to create a user account over a network for selecting a desired certification authority and for entering user information relating to the certification by the desired certification authority," as recited in claim 1. Claims 2-7, 9-11, 13 and 19-21 depend from independent claim 1 and are patentable for at least the same foregoing reasons. Therefore, the Applicant respectfully requests that the Examiner reconsider and withdraw the present rejection.

(2) On page 9, the Office Action rejects claims 8, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Wenger in view of L'Allier and in further view of U.S. Pre-Grant Publication No. 2003/0046256 to Orton et al. Claims 8, 15 and 16 depend from independent claim 1 and are patentable for at least the same foregoing reasons. Orton does not remedy the deficiencies of Wenger and L'Allier. The Applicant respectfully requests the reconsideration and withdrawal of the present rejection.

(3) On page 11, the Office Action rejects claims 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over Wenger in view of L'Allier and in further view of Finaid.org (2002). Claims 17 and 18 depend from independent claim 1 and are patentable for at least the same foregoing reasons. Finaid.org does not remedy the deficiencies of Wenger and L'Allier. The Applicant respectfully requests the reconsideration and withdrawal of the present rejection.

(4) On page 12, the Office Action rejects claim 12 under 35 U.S.C. §103(a) as being unpatentable over Wenger in view of L'Allier and in further view of the Examiner's Official Notice. Claim 12 depends from independent claim 1 and is patentable for at least the same foregoing reasons. The Examiner's Official Notice does not remedy the deficiencies of Wenger and L'Allier. The Applicant respectfully requests the reconsideration and withdrawal of the present rejection.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. The Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. The Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Amendment is respectfully requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 29239-190105.

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Respectfully submitted,

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